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Attorneys for Plaintiffs
WILLIAM A. SMITH and JOSE E. LEMUS

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIAM A. SMITH AND JOSEPH E.
LEMUS,

Plaintiffs,

vs.

PACIFIC GAS AND ELECTRIC
COMPANY,

Defendant.

Case No. C07-02126 JSW

STIPULATION AND ORDER TO
CONTINUE PRE-TRIAL

Date: March 30, 2009
Time: 2:00 p.m.
Judge: Hon. Jeffrey S. White

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2 WHEREAS, the Plaintiffs in this case, William Smith and Jose Lemus, initially filed a
3 joint Complaint in San Francisco Superior Court;

4 WHEREAS, that Court bifurcated the Smith and Lemus cases inter alia for trial and other
5 purposes;

6 WHEREAS, the two cases were subsequently removed to this Court;

7 WHEREAS, the Clerk's Notice of June 19, 2008 in this Court set April 20, 2009 as the
8 date for the Smith Trial, and June 1, 2009 as the date for the Lemus Trial;

9 WHEREAS, the Court's June 19, 2008 Order Granting Plaintiffs' Motion to Supplement
10 Complaint set a joint Pre-Trial Conference for both the Smith and the Lemus cases for March 30,
11 2009, three weeks prior to the date that had been set for the Smith trial, the first of the two cases
12 that had been set for trial;

13 WHEREAS, Defendant's Motion For Summary Judgment was granted as to Plaintiff
14 Smith, leaving only the Lemus Trial still on the calendar;

15 WHEREAS, the parties jointly desire that the Pre-Trial Conference for the Lemus case be
16 set at a date closer in time to the June 1, 2009 commencement of the Lemus Trial;

17 WHEREAS, the parties agree to continue the Pre-Trial Conference, and respectfully
18 request that the Pre-Trial Conference be continued to April 27, 2009 at 1:30 p.m.; and

19 WHEREAS, April 27, 2009 at 1:30 p.m. has already been reserved for the parties on
20 Judge White's calendar;

21 Plaintiffs William A. Smith and Jose E. Lemus ("plaintiffs") and defendant Pacific Gas &
22 Electric Company, Inc. ("defendant" or "PG&E") (collectively referred to as the "parties")
23 through their respective counsel hereby stipulate as follows:
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1 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

2 That the Pre-Trial Conference be continued to April 27, 2009.

3 Dated: March 6, 2009

LAFAYETTE & KUMAGAI LLP

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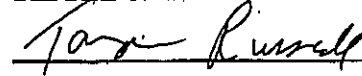
Glen Turner

5 Attorneys for Defendant

PACIFIC GAS & ELECTRIC COMPANY

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7 Dated: March 6, 2009

SIEGEL & YEE

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9 Attorneys for Plaintiffs

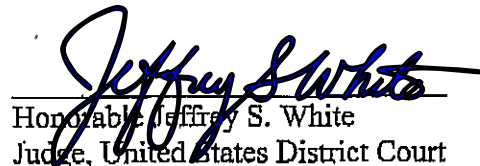
10 WILLIAM A. SMITH and JOSE E. LEMUS

11
12 ORDER

13 After considering the proposed stipulation to continue the Pretrial Conference, and good
14 cause having been shown, the Court grants the Parties' Stipulation to conduct the Pretrial
15 Conference before Judge White at ^{2:00} ~~1:30~~ p.m. on ^{April 20} ~~April 27~~, 2009.

16 IT IS SO ORDERED.

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19 Dated: March 10, 2009


Honorable Jeffrey S. White
Judge, United States District Court